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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,256	11/25/2003	Stephen B. Gest	100201673	4099

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EXAMINER

DAM, KIM LYNN T

ART UNIT	PAPER NUMBER
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2179

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/720,256

Applicant(s)

GEST, STEPHEN B.

Examiner

Kim-Lynn Dam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/25/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the application filed on 11/25/03. Claims 1-50 have been examined and are pending.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 38-44 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 38-44 are directed to a computer readable medium containing a computer program. However, Applicant's disclosure (Page 18, lines 7-16) defines "computer readable medium" to include mediums which are not tangible to form the basic statutory subject matter under 35 U.S.C 101. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-10, 17-23, 38-42, and 45-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Plow et al. (USPN 6,806,892).

Regarding claim 1, Plow disclosed a method for exchanging information with a process using a window display port, the method comprising:

presenting information related to a first process in a window that is resizable within a presentation space of a monitor (Column 3, lines 43-45 ("primary window"); Figure 5b, element 150);

selecting a second process (Column 3, lines 37-39);

opening a display port in a portion of the window; presenting information related to the second process in the display port (Column 3, lines 39-40 ("viewport"), Figure 5b, element 160); and

linking the display port to the window within the presentation space of the monitor (Column 3, lines 40-42 (wherein viewport is associated with the primary application window)).

Regarding claim 2, the rejection of claim 1 is incorporated and further Plow disclosed

associating an input focus with the window, wherein the first process can receive information from a user interface (Column 5, lines 31-33); and

associating the input focus with the display port, wherein the second process can receive information from the user interface (Column 5, lines 31-33).

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Regarding claim 3, the rejection of claim 2 is incorporated and further Plow disclosed associating the input focus with only one of the window and the display port at a time (Column 5, lines 31-33).

Regarding claim 4, the rejection of claim 3 is incorporated and further Plow disclosed switching the input focus between the window and the display port (Column 5, lines 31-33).

Regarding claim 5, the rejection of claim 3 is incorporated and further Plow disclosed comprising: switching the input focus to the display port when opening the display port in the portion of the window (Column 3, lines 34-36, (where viewport is topmost window)).

Regarding claim 6, the rejection of claim 1 is incorporated and further the system of Plow inherently discloses swapping the information presented in the display port related to the second process with the information presented in the window related to the first process (Column 3, lines 34-48).

Regarding claim 7, the rejection of claim 1 is incorporated and further the system of Plow inherently discloses associating an input focus with the window when swapping the information presented in the display port with the information presented in the window, wherein the second process can receive information from a user interface

(Column 3, lines 34-48).

Regarding claim 8, the rejection of claim 1 is incorporated and further Plow disclosed hiding the presenting of information related to the second process and the display port while maintaining an execution of the second process (Figure 4, element 105; Column 3, lines 62-63).

Regarding claim 9, the rejection of claim 8 is incorporated and further Plow disclosed wherein the hiding occurs when hiding the presenting of information related to the first process and the window while maintaining an execution of the first process (Figure 4, (wherein "primary window" which presents information related to the first process also has a minimize button)).

Regarding claim 10, the rejection of claim 1 is incorporated and further Plow disclosed closing the display port (Figure 4, element 106); and halting an execution of the second process (Figure 5a, element 40 (wherein window executing the second process has close button)).

Regarding claims 17-23, 25-28, and 45-49, they are the corresponding system claims of 1-10. Therefore, claims 17-23, 25-28, and 45-49 are rejected under the same rationale as applied above.

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Regarding claims 38-42, they are the corresponding program product claims of claims 1, 2, and 6-8. Therefore, claims 38-42 are rejected under the same rationale as applied above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 11-15, 30, 32, 33, 35-37, 43-44, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plow et al.

Regarding claim 11, as indicated in the above discussions, every limitation of claim 1 is taught by Plow. Plow further teaches closing the display port while maintaining an execution of the second process when closing the window and halting an execution of the first process (Figure 5b; wherein closing element 150, also closes element 160, and execution of the second process is still maintained in element 14). Plow does not expressly teach opening a second window that is resizable within the presentation space of the monitor; and presenting information related to the second process in the second window. However, this limitation would have been obvious to one of ordinary skill in the art at the time the invention was made in view of Plow, because Plow teaches a capture window created from a viewport, which captures relevant information

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of the associated application and is then available for cut and paste operations (Column 5, line 59 to Column 6, line 15). The skilled artisan would determine that the information related to the second process could be captured and then copied into a second window because the capture window contains related info as suggested by Plow (Column 5, line 59 to Column 6, line 15).

Regarding claim 12, as indicated in the above discussions, every limitation of claim 1 is taught by Plow. Plow further teaches adding the second process to a list of selected processes (Figure 1, element 26). Plow does not expressly teach including the list of selected processes as selectable entries in a drop-down menu. However, this limitation would have been obvious to one of ordinary skill in the art at the time the invention was made in view of Plow, because Plow shows a taskbar (Figure 1, element 26). The skilled artisan knows that a taskbar allows applications to be added and when the space is constrained, it displays a drop-down menu.

Regarding claim 13, as indicated in the above discussions, every limitation of claim 1 is taught by Plow. Plow does not expressly teach wherein the selecting comprises: browsing a repository of available processes including the second process. However, this limitation would have been obvious to one of ordinary skill in the art at the time the invention was made in view of Plow, because Plow shows a taskbar (Figure 1, element 26) which contains available processes that can be browsed by a user.

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Regarding claim 13, as indicated in the above discussions, every limitation of claim 1 is taught by Plow. Plow does not expressly teach wherein the linking comprises: resizing the display port an amount proportional to an amount the window changes when the window is resized. However, this limitation would have been obvious to one of ordinary skill in the art at the time the invention was made in view of Plow, because Plow discloses resizing of the viewport (Column 4, lines 51-53). The skilled artisan knows that conventional mouse operations and the use of a window reduction/enlargement button (Figure 1, element 12) would resize a display port an amount proportional to an amount the window changes.

Regarding claim 15, as indicated in the above discussions, every limitation of claim 1 is taught by Plow. Plow does not expressly teach wherein the linking comprises: maintaining a relative positioning of the display port within the window when repositioning the window within the presentation space of the monitor. However, this limitation would have been obvious to one of ordinary skill in the art at the time the invention was made in view of Plow, because Plow discloses resizing of the viewport (Column 4, lines 51-53). The skilled artisan knows that conventional mouse operations and the use of a window reduction/enlargement button (Figure 1, element 12) would reposition the window and the display port would maintain a relative position within the window during the repositioning.

Regarding claim 16, as indicated in the above discussions, every limitation of claim 1 is

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taught by Plow. Plow does not expressly teach wherein the first and second processes are associated with respective application programs. However, this limitation would have been obvious to one of ordinary skill in the art at the time the invention was made, in view of Plow, since Plow discloses that the viewport has the ability to view information from different application programs (Column 3, lines 43-48). The skilled artisan knows that a viewport has the ability to view information from respective application programs.

Regarding claims 30, 32, 33, 35-37, and 50, they are the corresponding system claims of claims 11-16. Therefore, claims 30, 32, 33, 35-37, and 50 are rejected under the same rationale as applied above.

Regarding claims 43 and 44, they are the corresponding program product claims of claims 12 and 15. Therefore, Claims 43 and 44 are rejected under the same rationale as applied above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim-Lynn Dam whose telephone number is (571) 270-1408. The examiner can normally be reached on M-TH 8:00-5:30, every other Friday 8:00-4:30.

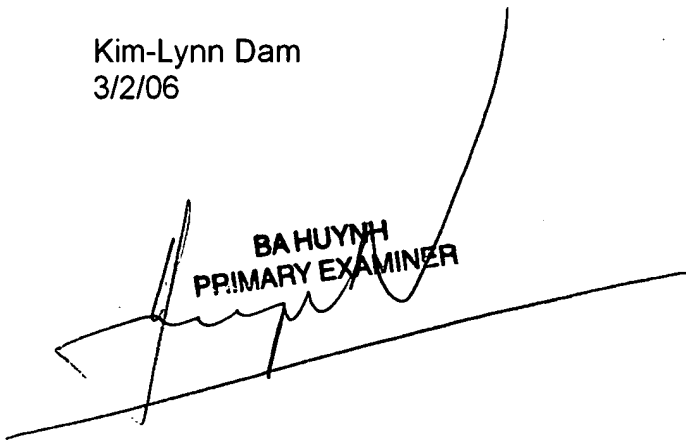
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kim-Lynn Dam
3/2/06

BA HUYNH
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Ba Huynh', is written over a horizontal line. The signature is stylized and extends upwards and to the right.